

**HEARING DATE: March 11, 2020**  
**HEARING TIME: 1:30 P.M.**  
**LOCATION: Tacoma, Washington**

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In re:

Debtors.

## OBJECTION TO CONFIRMATION WITH STRICT COMPLIANCE

## BACKGROUND

## OBJECTION TO CONFIRMATION

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**OBJECTION**

- ☒ Plan is not feasible: Debtors do not have the ability to make the plan payments. Before a plan can be confirmed, the debtor must demonstrate that s/he has the ability “to make all payments under the plan and to comply with the plan.” 11 U.S.C. § 1325(a)(6). The Debtors are currently \$1,952.43 delinquent in plan payments. *See* attached declaration. As the Debtors cannot afford the current payment, it is unlikely that s/he will be able to afford the increased plan payment.
- ☐ Plan is not proposed in good faith or is forbidden by law:
- ☐ Plan fails to commit all excess disposable income for the applicable commitment period as required by 11 U.S.C. § 1325(b)(1)(B):
- ☐ Plan does not meet the best interests of creditors test as required by 11 U.S.C. § 1325(a)(4):
- ☐ Schedules or other documentation insufficient:
- ☒ Other: Trustee requests that the debtor provide a timeline in the plan for the proposed mortgage modification and alternative treatment if the modification is not resolved by a date certain.

**WHEREFORE**, Trustee requests that the objection to confirmation be sustained and Debtors be ordered to file a motion to confirm a plan resolving the issues raised herein within 14 days of entry of the Order Sustaining Trustee’s Objection to Confirmation; and to set the hearing on the next available motion calendar after the 14 days expires. If the Motion to Confirm resolving the Trustee’s issues is not filed and set for hearing as outlined above, the Trustee requests he be allowed to enter an order dismissing the case, *ex parte*, without notice.

**DATED** this 3rd day of March, 2020.

/s/ Matthew J.P. Johnson  
Matthew J.P. Johnson, WSBA# 40476 for  
Michael G. Malaier, Chapter 13 Trustee